

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

MAXUS REALTY TRUST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 06-0750-CV-W-ODS
v.	)	
	)	Civil Action
RSUI INDEMNITY COMPANY,	)	
	)	
Defendant.	)	

**NOTICE TO TAKE 30(B)(6) DEPOSITION OF CORPORATE  
REPRESENTATIVE OF RSUI INDEMNITY COMPANY**

TO: Courtney E. Murphy  
Clausen Miller P.C.  
One Chase Manhattan Plaza, 39th Floor  
New York, NY 10005

George E. Wolf  
Douglas S. Beck  
Kelly G. Bieri  
Shook, Hardy & Bacon L.L.P.  
2555 Grand Boulevard  
Kansas City, MO 64108  
ATTORNEYS FOR DEFENDANT  
RSUI INDEMNITY COMPANY

PLEASE TAKE NOTICE that counsel for plaintiff, Maxus Realty Trust, Inc., will take the deposition of a corporate representative of defendant, RSUI Indemnity Company, pursuant to Fed. R. Civ. P. 30(b)(6), commencing at 9:30 a.m. on Monday, August 6, 2007, at the corporate headquarters of RSUI Indemnity Company, 945 East Paces Ferry Road, Suite 1800, Atlanta, Georgia 30326-1125, and will continue thereafter from day to day until complete. Said representative is to testify regarding the items listed on Exhibit A attached hereto.

Respectfully submitted,

/s/ Michael J. Abrams

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ATTORNEYS FOR PLAINTIFF  
MAXUS REALTY TRUST, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

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RSUI INDEMNITY COMPANY

Date: July 20, 2007

/s/ Michael J. Abrams

Attorneys for Plaintiff

## **EXHIBIT A**

### **SUBJECTS OF TESTIMONY**

1. RSUI's understanding of the RSUI policies issued to Maxus relating to Waverly.
2. RSUI's understanding of the insurance policies issued to Maxus from First Specialty relating to Waverly.
3. RSUI's Answers to Plaintiff's Interrogatories.
4. Claim handling with respect to the Waverly Place loss.
5. The reasons for RSUI's denial of coverage.
6. Any representations made by Maxus to RSUI or to any other carrier relating to Waverly Place.
7. The factual basis regarding the affirmative defenses made by RSUI.
8. RSUI's underwriting of policy NHD340601.